



Rick Holmes, CBO

Wayne Porter, CFM

Items needed to acquire permits for repair of damaged homes in a Special Flood Hazard Area (SFHA). For structures located outside of a special flood hazard area, normal permitting procedures apply.

1. **Completed and signed permit application.** (Included)
2. **Official Elevation certificate.** (See Q & A below)
3. **Completed Damage Repair Worksheet.** (Included)

Continue with items below if the structure is non-conforming. (See definition below)

4. **Completed Property Owner's Damage Affidavit.** (Included)
5. **Completed Contractor's Damage Affidavit.** (Included)
6. **Pre-damaged appraised market value of the structure from a licensed appraiser.** (Optional, see how is market value determined below)

Notice of Determination of substantial damage will be issued upon request.

(Sample included)

Questions and Answers

What is a 'non-conforming structure'? Existing structures that have the lowest finished floor below the required elevation are non-conforming.

What is the FEMA 50% rule? Bay County participates in the National Flood Insurance Program (NFIP) making affordable flood insurance available for structures within its jurisdiction through FEMA. The FEMA 50% Rule is a requirement for participation in this program. It limits the cost of repairs to non-conforming structures to less than 50% of the "Market Value" of the structure prior to the Flood. If your home is below the FEMA required flood elevation, the County has flood damage prevention regulations that will affect repair your home.

What if the cost of repair exceeds 50% of the market value? If a building is 'substantially damaged' or 'substantially improved', it must be brought into compliance with Bay County floodplain regulations, which may include elevating the building to or above the 100 year flood elevation. Likewise, all electrical and mechanical equipment, bathrooms, and laundry rooms would need to be elevated. Only parking, building access and storage is allowed below the flood level.

$$\frac{\text{Cost of Improvement or Cost to Repair to Pre-Damage Condition}}{\text{Market Value of Building}} \geq 50\%$$

What is Substantial Damage? Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. *(Note: The cost of the repairs must include all costs necessary to fully repair the structure to its “before damage” condition.)* Bay County has a 10 year cumulative substantial damage clause in its floodplain management ordinance. This means that the County includes the cost of any repairs or improvements made to the home within the last ten years when making substantial damage determinations.

Where can I obtain an Elevation Certificate? Elevation Certificates must be prepared and certified by a Licensed Land Surveyor, Registered Professional Engineer or Registered Architect who is authorized by state or local law to certify elevation information. If an Elevation Certificate has been prepared for your property, you may be able to obtain it from the property developer or the Bay County Floodplain Manager may have a copy. Bay County Floodplain Manager (850) 248-8250

How is ‘market value’ determined? Bay County will use the assessed value of your structure recorded by the Bay County Property Appraisers Office, plus the recommended adjustment factor. Only the value of the structure is pertinent, the value of the site improvements such as pools, accessory structures, fences, landscaping, docks, etc. are not included. If you disagree with the Bay County Property Appraisers Office valuation of the structure, you may engage a State of Florida licensed property appraiser to submit a comparable property appraisal for the pre-damage market value of the structure. The appraised value of the structure less the value of all forms of depreciation is the ‘market value’.

When do I need to submit a Repair Cost Form? When a structure is non-conforming you must provide an estimate of the cost to perform the proposed improvements or repairs if your building has been damaged. The cost estimate must include all work required to repair the building to its pre-damage condition. The cost estimate must include all labor and materials. If the work will be done by a contractor, the contractor’s overhead and profit must be included. If the work will be done by the owner or volunteers, market rates must be used to estimate the cost of materials and the value of labor. Attached to this notice is a list of costs that must be included and costs that are excluded.

Who can I contact for more information? For answers to any questions regarding Bay County Floodplain Regulations contact Bay County Floodplain Manager, Wayne Porter at 850-248-8250 or wporter@baycountyfl.gov.

Costs for Substantial Improvements and Repair of Substantial Damage

Included Costs

Items that must be included in the costs of improvement or costs to repair are those that are directly associated with the building. The following list of costs that must be included is not intended to be exhaustive, but characterizes the types of costs that must be included:

- Materials and labor, including the estimated value of donated or discounted materials and owner or volunteered labor
- Site preparation related to the improvement or repair (foundation excavation, filling in basements)
- Demolition and construction debris disposal
- Labor and other costs associated with demolishing, moving, or altering building components to accommodate improvements, additions, and making repairs
- Costs associated with complying with any other regulation or code requirement that is triggered by the work, including costs to comply with the requirements of the Americans with Disabilities Act (ADA)
- Costs associated with elevating a structure to an elevation that is lower than the BFE
- Construction management and supervision
- Contractor's overhead and profit
- Sales taxes on materials
- Structural elements and exterior finishes, including:
 - Foundations (e.g., spread or continuous foundation footings, perimeter walls, chainwalls, pilings, columns, posts, etc.)
 - Monolithic or other types of concrete slabs
 - Bearing walls, tie beams, trusses
 - Joists, beams, subflooring, framing, ceilings
 - Interior non-bearing walls
 - Exterior finishes (e.g., brick, stucco, siding, painting, and trim)
- Structural elements and exterior finishes (cont.):
 - Windows and exterior doors
 - Roofing, gutters, and downspouts
 - Hardware
 - Attached decks and porches
- Interior finish elements, including:
 - Floor finishes (e.g., hardwood, ceramic, vinyl, linoleum, stone, and wall-to-wall carpet over subflooring)
 - Bathroom tiling and fixtures
 - Wall finishes (e.g., drywall, paint, stucco, plaster, paneling, and marble)
 - Built-in cabinets (e.g., kitchen, utility, entertainment, storage, and bathroom)
 - Interior doors
 - Interior finish carpentry
 - Built-in bookcases and furniture
 - Hardware
 - Insulation
- Utility and service equipment, including:
 - HVAC equipment
 - Plumbing fixtures and piping
 - Electrical wiring, outlets, and switches
 - Light fixtures and ceiling fans
 - Security systems
 - Built-in appliances
 - Central vacuum systems
 - Water filtration, conditioning, and recirculation systems

Excluded Costs

Items that can be excluded are those that are not directly associated with the building. The following list characterizes the types of costs that may be excluded:

- Clean-up and trash removal
- Costs to temporarily stabilize a building so that it is safe to enter to evaluate required repairs
- Costs to obtain or prepare plans and specifications
- Land survey costs
- Permit fees and inspection fees
- Carpeting and recarpeting installed over finished flooring such as wood or tiling
- Outside improvements, including landscaping, irrigation, sidewalks, driveways, fences, yard lights, swimming pools, pool enclosures, and detached accessory structures (e.g., garages, sheds, and gazebos)
- Costs required for the minimum necessary work to correct existing violations of health, safety, and sanitary codes
- Plug-in appliances such as washing machines, dryers, and stoves



Rick Holmes, CBO

Wayne Porter, CFM

Property address: _____

Owner name: _____ Phone number: _____

Contractor: _____ Phone number: _____

Contractor License number: _____ Contractor address: _____

_____ Email: _____

Contractor Affidavit

I hereby attest that I have personally inspected the building located at the above-referenced address and discussed the nature and extent of the work requested by the owner, including all improvements, rehabilitation, remodeling, repairs, additions and any other form of improvement.

At the request of the owner, I have prepared a cost estimate for all of the improvement work requested by the owner for the repair of damage; I have prepared a cost estimate to repair the building to its pre-damage condition. I acknowledge that if, during the course of construction, the owner requests more work or modification of the work described in the application, that a revised cost estimate must be provided to the Bay County Builders Services Department, which will re-evaluate its comparison of the cost of work to the market value of the building to determine if the work is substantial improvement. Such re-evaluation may require revision of the permit and may subject the property to additional requirements.

I also understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs or improvements that were not included in the description of work and the cost estimate for that work that were the basis for issuance of a permit.

_____ Contractor's Signature	_____ Print Name	_____ Date
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Notary required if not submitted in person

State of _____

County of _____

Before me this _____ day of _____, 20____, personally appeared
_____ who being duly sworn deposes and says that he/she has read,
understands and agrees to comply with all the aforementioned conditions.

(stamp)

Signature, Notary Public

Print Name, Notary Public



Rick Holmes, CBO

Wayne Porter, CFM

Property address: _____

Owner name: _____ Phone number: _____

Contractor: _____ Phone number: _____

Contractor License number: _____ Contractor address: _____

_____ Email: _____

Owner Affidavit

I hereby attest that the description included in the permit application for the work on the existing building that is located at the property identified above is all of the work that will be done, including all improvements, rehabilitation, remodeling, repairs, additions, and any other form of improvement. I further attest that I requested the above-identified contractor to prepare a cost estimate for all of the work, including the contractor's overhead and profit. I acknowledge that if, during the course of construction, I decide to add more work or to modify the work described, Bay County Building Services Department, will re-evaluate the comparison of the cost of work to the market value of the building to determine if the work is substantial improvement. Such re-evaluation may require revision of the permit and may subject the property to additional requirements.

I also understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs or improvements that were not included in the description of work and the cost estimate for that work that were the basis for issuance of a permit.

_____	_____	_____
Contractor's Signature	Print Name	Date

Notary required if not submitted in person

State of _____

County of _____

Before me this _____ day of _____, 20____, personally appeared
_____ who being duly sworn deposes and says that he/she has read,
understands and agrees to comply with all the aforementioned conditions.

(stamp)

Signature, Notary Public

Print Name, Notary Public



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Wayne Porter, CFM

Property address: _____

Owner name: _____ Phone number _____

Contractor: _____ Lic: _____

This cost estimate of repairs must be signed by the contractor or by the owner if the owner acts as the contractor. Owners who act as their own contractors must estimate their labor cost at current market value for the work to be performed including construction supervision cost.

	Sub-contractor bids Bid amounts	OR	Contractor or owner estimates Material costs Labor costs	
1. Masonry / Concrete				
2. Carpentry Material (rough)				
3. Carpentry Labor (rough)				
4. Roofing				
5. Insulation and Weather-strip				
6. Exterior Finish				
7. Doors, Windows & Shutters				
8. Finish / Trim Carpentry				
9. Hardware				
10. Drywall				
11. Cabinets & Countertops				
12. Floor Covering				
13. Plumbing				
14. Shower / Tub / Toilet				
15. Electrical & Light Fixtures				
16. Concrete				
17. Built-in Appliances				
18. HVAC				
19. Paint				
20. Demolition & Removal				
21. Overhead and Profit				
22. Other:				
Subtotal				
			Total of all	



BAY COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

840 West 11th Street Room 2350

Panama City, Florida 32401

Telephone: (850) 248-8250

Fax: (850) 248-8267

Email: planning@baycountyfl.gov

BOARD OF COUNTY COMMISSIONERS

www.baycountyfl.gov

840 WEST 11TH STREET
PANAMA CITY, FL 32401

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DISTRICT I

ROBERT CARROLL
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DISTRICT IV

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DISTRICT V

ROBERT J. MAJKA JR.
COUNTY MANAGER

Notice of Substantial Damage Determination

Dear [name of structure owner]:

Bay County has reviewed your recent application for a permit to repair the existing residential structure located at [0000 Some Street, Florida 324xx]. These repairs are required due to damage received from Hurricane Michael on October 10, 2018.

It has been determined that this structure is located within a mapped Special Flood Hazard Area on the Flood Insurance Rate Map (FIRM), Panel [xxxx, with an effective date of any day and year]. As required by our floodplain management regulations and building code, we have determined that the proposed repairs constitute Substantial Damage for the structure. This determination is based on a comparison of the cost estimate of the proposed cost of repairs to the pre-damage market value of the structure (excluding land value). When the cost of repairs equals or exceeds 50 percent of the pre-damage market value of the structure, the damages are considered Substantial Damage (*Bay County has a 10 year cumulative substantial damage clause within its floodplain regulations*).

As a result of this determination, you are required to bring the structure into compliance with the floodplain regulations found in Article II of Bay County Code of Ordinances and the current Florida Building Code.

There are several aspects that must be addressed to achieve compliance. The most significant requirement is that the lowest floor, as defined in the flood regulations/code, must be elevated to or above the base flood elevation (BFE) plus one foot on the FIRM. You may wish to contact your insurance agent to understand how raising the lowest floor higher than the minimum required elevation can reduce National Flood Insurance Program (NFIP) flood insurance premiums.

Please resubmit your permit application along with plans and specifications that incorporate compliance measures to the Bay County Builders Services Division. Construction activities that are undertaken without a proper permit are violations and may result in citations, fines, or other legal action.

Sincerely,

Wayne Porter, CFM
Floodplain Manager